

**IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE
DISTRICT OF TENNESSEE AT NASHVILLE**

**TENNESSEE EQUALITY PROJECT
FOUNDATION, INC.,**

Plaintiff,

v.

**THE CITY OF MURFREESBORO,
TENNESSEE, et al.**

Defendants.

)

)

) **Case No. 3:23-cv-01044**

)

) **Judge Waverly D. Crenshaw**

)

) **Magistrate Judge Barbara Holmes**

)

)

) **JURY DEMAND¹**

)

**JOINT MOTION TO DISMISS FILED ON BEHALF
OF INDIVIDUAL DEFENDANTS**

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Defendants Shane McFarland, in his individual and official capacities, and Michael Bowen, Kevin Jones, Jami Averwater, Madelyn Scales Harris, Austin Maxwell, Kirt Wade, Shawn Wright, and Craig Tindall, in their official capacities only, move to dismiss Plaintiffs' Verified Complaint with prejudice. In support of their Motion, these Defendants contemporaneously submit a Memorandum of Law.

¹ To the extent he is not dismissed, Shane McFarland demands a jury of twelve persons to try all issues joined in this cause. To the extent a twelve-person jury is not available in Federal Court, Mayor McFarland asserts that he should receive a jury of the maximum number of permissible jurors, and without limiting the foregoing, a jury of no fewer than eight.

Respectfully submitted,

/s/ Cassandra M. Crane

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this the 15th day of November 2023 a true and correct copy of the foregoing Joint Motion to Dismiss filed on behalf of Individual Defendants has been forwarded via the Court's electronic filing system to:

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